

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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TDN MONEY SYSTEMS, INC.,

Plaintiff(s),

v.

GLOBAL CASH ACCESS, INC.,

Defendant(s).

Case No. 2:15-CV-2197 JCM (NJK)

ORDER

Presently before the court is defendant Global Cash Access's motion for demand for security of costs. (Doc. # 9). Plaintiff TDN Money System, Inc. has not responded, but has attempted to post payment with the clerk in this matter. The clerk cannot accept payment without a court order.

Defendant asks that plaintiff file security of costs in the amount of \$500.00 in favor of the defendant pursuant to NRS 18.130(1) because plaintiff is a non-resident of Nevada. (Doc. # 9).

The Ninth Circuit recognizes that "federal district courts have inherent power to require plaintiffs to post security for costs." *Simulnet E. Assocs. v. Ramada Hotel Operating Co.*, 37 F.3d 573, 574 (9th Cir. 1994). A federal district court typically follows the forum state's practice regarding security of costs, particularly when a party is a non-resident. *See, e.g.*, 10 Charles Alan Wright & Arthur R. Miller, Federal Practice and Procedure § 2671 (3d ed. 1998). Nevada Revised Statute 18.130 provides that the court may require an out-of-state plaintiff to post a security for costs in an amount up to \$500.00 upon request by a defendant. Nev. Rev. Stat. 18.130.

This court finds it appropriate to order security of costs in this matter.

...

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant's motion demanding security of costs, (doc. # 9), be, and the same hereby is, GRANTED.

IT IS FURTHER ORDERED that plaintiff shall post security in the amount of \$500.00 within seven days of the entry of this order.

James C. Mahan  
UNITED STATES DISTRICT JUDGE